

REMARKS/ARGUMENTS

In response to the Notice of Allowance dated September 16, 2008, Applicant respectfully requests reconsideration based on the above claim amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 24-26, 28, 31, 35-38, 41 and 43 are originally presented.

Claims 27, 29-30, 32, 39-40 and 42 are previously presented.

Claims 23 and 33-34 are currently amended.

Claims 1-22 are canceled.

Claims 23-43 are allowed and include changes authorized by the Applicant in a telephone interview with the Office on July 14, 2008.

Claims 23-43 remain in this application.

Applicant wishes to thank the Examiner for issuing the Notice of Allowance. In view of the following remarks, Applicant respectfully requests reconsideration of the amended claims and allowance of the subject application.

Interview with Examiner

Applicant wishes to thank the Examiner for the telephonic interview with the Examiner on September 23, 2008. In particular, Applicant wishes to thank the Examiner for his helpful assistance regarding both the claim amendments listed above and the arguments listed below.

Amendments after Notice of Allowance

Amended independent claim 23 recites:

A method for providing restricted security distribution instructions to a transfer agent in a distribution of securities from a Venture Capitalist to a plurality of participants comprising:

- receiving distribution information from a Venture Capitalist ("VC") in electronic form, the distribution information including data indicating for each participant in the distribution a name, an identification number, and a number of allocated securities;
- importing the distribution information into a database system;
- matching participants identified in the distribution information to participant information previously entered in the database system;
- associating each respective participant in the distribution information with a contact from which instructions regarding a disposition of the allocated securities to each respective participant can be obtained;
- indicating a plurality of contacts to be contacted to obtain distribution instructions for associated participants;
- sorting the plurality of contacts in an order of urgency;
- contacting the plurality of contacts in the order of urgency to obtain the distribution instructions, such that contacts associated with more exigent items are contacted before contacts associated with less exigent items;
- storing the distribution instructions received from the one or more contacts in the database system;
- generating a report including received distribution instructions for the participants in the distribution; and
- providing the report to a transfer agent.

In its Reasons for Allowance of claims 23-42, the Office states:

"no prior art [sic] was found which anticipates or renders obvious obtaining securities distribution instructions for a plurality of participants in a Venture Capitalist [sic] whereby a plurality of contacts are sorted in an order of urgency, and contacting the plurality of contacts in the order of urgency to obtain distribution instructions, such that contacts associated with more exigent items are contacted before contacts associated with less exigent items."

(Notice of Allowance, Page 8).

As shown above, the only portion of claim 23 which Applicant proposes to amend is “associating each respective participant in the distribution information with a contact from which instructions regarding a disposition of the allocated securities to each respective participant can be obtained”.

The other portions of claim 23 remain untouched, including the elements “indicating a plurality of contacts to be contacted to obtain distribution instructions for associated participants”, “sorting the plurality of contacts in an order of urgency” and “contacting the plurality of contacts in the order of urgency to obtain the distribution instructions, such that contacts associated with more exigent items are contacted before contacts associated with less exigent items”. These untouched elements of claim 23 include the subject matter cited by the Office in its Reasons for Allowance. Therefore, amended claim 23 is still allowable over the cited prior art.

Applicant is amending claim 23 to ameliorate global antecedent basis issues in claim 23 and to more clearly annunciate a correspondence between each respective participant in the distribution information with a contact from which instructions regarding a disposition of the allocated securities to each respective participant can be obtained.

Applicant is amending claim 23 at this time to ameliorate a miscommunication with the Examiner during a telephonic conversation on July 14, 2008 in which Applicant agreed to an Examiner’s amendment to recite subject matter disclosed in the Office’s “Reasons for Allowance” above. Applicant submits, that the amendments to claim 23 are in accordance with MPEP 714.16 and 37 CFR 1.312, and that amended claim 23 recites subject matter consistent

with the Office's "Reasons for Allowance". Therefore Applicant respectfully requests that claim 23 be amended as noted above.

Dependent claims 24-33

Claims 24-33 depend from claim 23 and are allowable due to their dependence from an allowable base claim. These claims are also allowable for their own recited features that, in combination with those recited in their respective base claims, are not disclosed or suggested by references of record.

Independent Claim 34

Amended independent claim 34 includes amendments similar to the amendments found in claim 23, which are discussed above. Amended claim 34 is therefore allowable for at least the same reasons, which are incorporated herein by reference.

Dependent claims 35-43

Claims 35-43 depend from claim 34 and are allowable due to their dependence from an allowable base claim. These claims are also allowable for their own recited features that, in combination with those recited in their respective base claims, are not disclosed or suggested by references of record.

Applicant therefore respectfully requests that claims 23-43 be amended as recited above, and that the allowance of claims 23-43 be maintained.

The arguments presented above are not exhaustive, and Applicant reserves the right to present additional arguments in future communications with the Patent Office. Moreover, Applicant reserves the right to challenge the alleged prior art status of any document cited in the current Office action.

CONCLUSION

The Applicant submits that all of the remaining claims are in condition for allowance and respectfully requests that a Notice of Allowability be issued. If the Office's next anticipated action is not the issuance of a Notice of Allowability, the Applicant respectfully requests that the undersigned attorney be contacted for the purpose of scheduling an interview.

Respectfully Submitted,

Dated: September 23, 2008

By: /Jim Patterson/
Jim Patterson
Reg. No. 52,103
Attorney for Applicant
Emmanuel Rivera
Reg. No. 45,760

LEE & HAYES PLLC
Suite 500
421 W. Riverside Avenue
Spokane, Washington 99201
Telephone: 509-324-9256 x247
Facsimile: (509) 323-8979